

HCDCH FY 2003 PHA 5-Year and Annual Plans

Responses to Comments from the Resident Advisory Board and Statewide Public Hearings

General PHA Plan

The RAB recommends that the Management staff shall be provided a copy of the meeting minutes. The RAB minutes contain information that the Managers should know or includes issues that the Managers should be aware of.

Response: *HCDCH agrees and will ensure that all managers receive copies of the meeting minutes from the RAB meetings. In addition, any major policy issues or concerns will be discussed during the Managers' Meeting.*

The RAB recommends that maintenance staff and managers from federal public housing must attend RAB meetings.

Response: *HCDCH always encourages the continued dialog and collaboration between the resident association and the project's Management Staff on a regular basis. However, HCDCH does not support the RAB's recommendation requiring unit maintenance and management staff to attend the RAB meetings. PMMB does have quarterly Managers' Meeting with unit managers and will dedicate a portion of the meeting where the RAB can have a dialogue with the managers. PMMB will work with the Resident Services Section to work out details on RAB attendees, agenda topics, etc.*

RAB recommends that HCDCH provide technical assistance in forming Section 8 Associations.

Response: *As Section 8 tenant-based housing units may not necessarily located near one another, forming an association would be logistically impossible to accomplish. However, HCDCH will work with the RAB to create ways to communicate and gain input from a larger group of Section 8 participants.*

Public Hearing Comment: Recommend that the hearings be held in the morning and evening hours to allow residents who work at night to attend the hearings and in a location that has parking.

Response: *Past attendance records of the public hearings indicates that the early evening affords maximum attendance by the residents as well as the public. However, HCDCH will investigate the possibility of holding the hearings during the morning and evening hours. For the outer island hearing sites, parking is free and is within the housing project complex. For Oahu, street parking in downtown Honolulu hearing site is plentiful and free after 6:00 PM.*

Public Hearing Comment: Not every resident was notified of the public hearing.

Response: *In order to publicize the public hearings, HCDCH published notices in a major newspaper on each island 45 days prior to the hearings. In addition, the notice was posted on the HCDCH Internet site and flyers were issued to each housing administrative office and federal public housing project management unit to post in their offices and bulletins boards. The RAB members were mailed a copy of the hearing notice and asked to get the word out about the public hearing. In addition, the Property Management Branch inserted an Information Notice in the March 2003 Rent Bill to inform residents of the public hearings.*

Section 1: Housing Needs

No recommendations.

Section 2: Financial Resources

The RAB recommends that HCDCH should not use any of the Capital Funds budgeted for modernization or construction to pay for the \$2.0 million HUD assessment. The RAB is concerned that projects currently being remodeled such as Lanakila, Maili, Waimaha-Sunflower, and Kalihi Valley Homes should not stop or be affected by the \$2.0 million HUD assessment. The RAB also recommends that HCDCH provide the RAB the chance to comment on which projects are chosen for remodeling. Additionally, the RAB recommends that HCDCH include a resident in all of the planning meetings from the project selected for remodeling as chosen by their resident association.

Response: *As part of the Corrective Action Order, HUD has directed that monies be set aside to fund an Independent Assessment of HCDCH. Those funds will be earmarked from the Capital Fund Program. A contract has been awarded to IBM for \$1.19 million to conduct a detailed assessment of the management of federal public housing programs and a physical needs assessment of each federal public housing project managed by HCDCH. The coordination process established in the modernization of Kalihi Valley Homes, Lanakila, Maili I, and Waimaha/Sunflower will be continued for projects selected for rehabilitation and/or modernization. Residents and interested parties from the surrounding communities will be invited to participate in the planning process.*

Section 3: Policies on Eligibility, Selection and Admissions

The RAB recommends that HCDCH should identify ways to inform residents who do not speak English well about the lease requirements. The RAB also recommends that HCDCH develop a handbook that residents can refer to that is easy to read and understand by June 30, 2003.

Response: *HCDCH will continue to provide translation services at no cost to the resident upon request. RSS will work with the RAB to research the development of a "resident handbook."*

The RAB recommends that HCDCH consider ways to assist single persons with housing. It is difficult for young single adults to find housing and they are not eligible for family public housing projects.

Response: *HCDCH worked together with residents in developing the current preference policies that provide administrative guidelines that prioritize the order in which applicants become eligible for either Public Housing or Section 8 Housing Choice Vouchers. It further recognizes that "single persons that are elderly and/or disabled have preference over all other single applicant regardless of preference status." Unfortunately, a single person who is not elderly or not disabled has the lowest preference.*

The RAB recommends that HCDCH look for ways to help families with getting a one-time transferable security deposit for a section 8 unit. HCDCH could work with tax-exempt charitable organizations such as the Salvation Army and Catholic Charities. Coming up with the security deposit is more of a problem than landlord's not wanting to take a section 8 family.

Response: *HCDCH will research the possibility of having charitable organizations provide security deposit grants or loans to Section 8 Housing Choice Voucher families searching for housing.*

Public Hearing Comment: It is strongly recommended that HCDCH "open the door to public housing wider" for who have been convicted of crimes and are seeking stability and security as they attempt to succeed outside of prison.

Response: Of prime concern to this agency and HUD is to ensure that residents are provided a healthy, safety, and peaceful living environment. HUD mandates that any person convicted of manufacturing, producing or distributing methamphetamine or subject to lifetime registration requirements under the State of Hawaii sex offender's registration program are ineligible to receive assistance in public housing and Section 8 Housing Choice Voucher Programs. In addition, an applicant's household must not currently or during a three year period preceding when the applicant household would be selected for admission be engaged in any drug-related or violent criminal activity, which would adversely affect healthy, safety, and peaceful environment by residents, the owner, or corporation employees.

Section 4: Rent Determination Policies

The RAB recommends that HCDCH shall and must insure that the process of calculating a resident's rent is completed on a timely basis to avoid a resident having to pay back rent.

Response: HCDCH will continue to educate and supervise the housing specialists to ensure that calculations are done accurately and promptly during annual re-examinations.

The RAB recommends that HCDCH/Management staff (Managers must mandatory) aggressively inform the public housing families of the earned income disregard policy and hardship waiver in the handbook and during annual reexaminations. HCDCH should refer to 24 CFR 903.

Response: The Mandatory Earned Income Disregard (MEID), Minimum Rent (MR), and the Hardship Exemption from the Minimum Rent (HEMR) Informational Notice will be mailed quarterly to each family. Additionally, at each annual examination, the family will be given the opportunity to select the method in which their rent will be calculated (Flat or Income Based Rent). At the resident's request, the HEMR and/or MR can be explained to a family.

Section 5: Operations and Management Policies

The RAB recommends that HCDCH address the need for after hour's in-house managers or maintenance personnel. The hiring selection committee should consist of one person from HCDCH, 1 person from the RAB and 1 member of the resident association. The applicant must be an established resident and for the position must be required to live at that project.

Response: HCDCH will continue to operate under its current after hour emergency telephone number system. Currently, there are no positions available to hire an after-hours, in-house manager, or maintenance person who is receiving federal housing assistance as recommended by the RAB

To create a new position, HCDCH is required by state human resources rules to develop a position description and minimum requirements for employment. In addition, HCDCH must identify the source of funding and obtain the required departmental and executive approvals to create any positions recommended by the RAB.

If or when a position(s) is created, interested persons must first apply and be qualified under the approved position descriptions and minimum requirements. The selection/interview committee is made up of civil service employees normally at the supervisory level. Depending on the type of position, a personal interview is conducted and any necessary tests are completed by each qualified applicant. Then the selection committee makes its selection based on the person who is best qualified to fill the position.

The RAB requests that HCDCH look at the following situations and report back to the RAB about burnt out streetlights and drainage problems at Nanakuli Homes, Wahiawa Terrace, and Kauioakalani, and parking lot lights at Wahiawa Terrace.

Response: HCDCH will investigate the situation being reported by the RAB. The property Manager of the various projects will contact the various resident associations. PMMB will provide a follow-up report to the RAB on or before March 3, 2003. Residents are always encouraged to report these problems directly to the project manager for resolution.

The RAB recommends that HCDCH conduct a yearly assessment to improve common area maintenance in a timely manner. The RAB recommends that HCDCH set up a tamper-proof suggestion box outside the manager's office that is collected by PMMB staff.

Response: An annual assessment of each project is done to the common use areas. We will ask each manager to communicate the results of the assessments to the residents of the project. HCDCH will investigate the possibility of putting a suggestion box at each project and discuss the issue with the residents and resident councils as well as other ways to provide a means for residents to express their ideas on how to improve their communities.

The RAB recommends that HCDCH managers and private management staff rotate projects every 3-4 years (within their own company or agency). This will help reduce favoritism by management for certain families.

Response: HCDCH will research this suggestion. This suggestion does involve several complicated issues, which will require consultation with the public unions and review of the civil service laws for our State employee managed properties. However, this may not be possible with the private contractors who are managing our properties. HCDCH will dialog with the RAB to address their specific needs.

The RAB recommends that HCDCH adopt policies that disallow nepotism in management staff and management agencies.

Response: HCDCH complies with state hiring procedures to include rules governing nepotism. All private contractors, which include HCDCH's private property management companies, are selected through the established state procurement procedures and policies. HCDCH has no control over the private management company's internal hiring practices.

Section 6: Grievance Procedures

See handbook recommendation in section 3.

Response: Please refer to HCDCH's response to the RAB Section 3, Recommendation #1.

The RAB recommends that Managers inform those persons who are in the process of a grievance of the grievance procedures.

Response: During the annual re-examination, each family will be given a copy of the Grievance procedures and provided an explanation of those procedures. In addition, the Grievance Procedures are posted in each management office and made available to anyone upon request.

Section 7: Capital Improvement Needs

The RAB requests that HCDCH look at the following situations and report back to the RAB on the status of these concerns:

- i. Light bulbs purchased from Mexico for the Ko'olau playground are taking a long time to get here. The RAB recommends that HCDCH work with suppliers and contractors that can access supplies locally or in more timely manner.

- ii. Project repairs at Ka'ahumanu were done with supplies left over from another housing authority's project. When this happens, maintenance cannot order supplies to repair damaged facilities such as screens, windows, and floor tiles.
- iii. Hui O' Hanamaulu needs parking lot lights.
- iv. Ka'ahumanu Homes needs a safety implementation of the playground equipment.

Response:

- i. *HCDCH acknowledges the RAB's concern for purchasing products from vendors that deliver goods in a timely manner. We will work with Administrative Services Office to research what can be done within our procurement system to address this concern. HCDCH will investigate further as to when Ko'olau will be receiving and installing the replacement light bulbs. PMMB will provide a follow-up report to the RAB on or before March 3, 2003.*
- ii. *No left over or recycled products were used on the new construction project at Ka'ahumanu. Since procurement policies require the awarding of a purchase contract to the "lowest bidder," HCDCH has no control if a purchase item is eventually discontinued or modified. However, in those cases, every reasonable effort will be made to find a product that is identical in specifications or that can be safely retrofitted.*
- iii. *Hui O' Hanamaulu parking and streetlights are on a prioritized deferred maintenance list. With the on-going physical needs assessment of the entire federal public housing stock, a determination will be made on which projects will receive immediate funding and those that will be deferred. HCDCH will begin to dialog with Kauai County about the possibility to install streetlights.*
- iv. *HCDCH will contact the property manager and Resident Association of Ka'ahumanu Homes to clarify what the safety concerns is involving the playground.*

Section 8: Demolition and Disposition

No recommendations.

Section 9: Designation of Housing

The RAB recommends that HCDCH establish non-mandatory segregated senior citizen housing. Senior residents and young disabled residents have different lifestyles that often cause problems between the two groups.

Response: *HCDCH will research into the procedure and requirements to apply for HUD approval to establish segregated senior housing.*

Section 10: Conversion of Public Housing

No recommendations.

Section 11: Homeownership

The RAB recommends that HCDCH clarify the informational material on the section 8 homeownership program so that it accurately states that individuals and families can apply for the program.

Response: Thank you for your suggestion. HCDCH will clarify the informational material to state that families, which include individuals receiving Section 8 rental assistance, will be offered the opportunity to apply to participate in the program.

The RAB recommends that HCDCH continue to implement the section 8 homeownership program and also re-open up the program to new applicants again, including eligible public housing applicants.

Response: HCDCH intends to continue offering the Section 8 Homeownership program. Currently, HCDCH is processing the initial 200 applications from the first offering of the program. It is hoped that the program will again be offered to Section 8 tenant families later this year. Concerning the recommendation to include public housing applicants, HUD does not allow HCDCH to provide assistance to families in public housing under the Section 8 Homeownership Option Program. The program is only directed to tenant-based families who are receiving Section 8 rental assistance.

The RAB recommends that HCDCH reduce the eligibility requirements to delete or reduce the requirement for potential homeowners to be employed full-time (30 hours or more) for one year.

Response: The full-time employment requirement is imposed by HUD. In order to qualify to participate in the program, a person or family must be working a minimum of 30 or more hours. Financial institutions or banks that provide the majority of the financial assistance base their assistance on a regular income and the assurance that the mortgage obligation will be faithfully met.

Section 12: Community Service Programs

The RAB recommends that HCDCH offer the Family Self-Sufficiency Program to families in public housing. The RAB also recommends that HCDCH continue to offer the FSS orientation at the project sites.

Response: Under HCDCH's FSS Action Plan, HCDCH has voluntarily proposed to HUD to serve 25 individuals or families under the Family Self-Sufficiency Program. HCDCH will also continue to conduct the FSS orientation at the project sites.

The RAB recommends that HCDCH develop a process to verify a person's disability when they are using that disability to gain exemption from the Community Service Requirement when it becomes effective or under any HOPE VI project.

Response: HCDCH has the means to verify a person's disability claim such as requiring a person to submit a doctor's certification. HCDCH will ensure that this process complies with the ADA.

The RAB recommends that HCDCH coordinate the Community Services Program with the Department of Human Services to ensure that residents do not have to do twice the community service under the First-To-Work Program and HUD's Community Services Requirement.

Response: HCDCH agrees and has in fact entered into a Memorandum of Agreement with the Department of Human Services to share information on residents participating in the First-To-Work Program to ensure that residents are not asked to do twice the community service.

The RAB recommends that HCDCH provide "Chore Giver" training for elderly and disabled residents living in public housing before the annual inspection. HCDCH could train other residents to help the elderly and disabled to prepare their units for inspection.

Response: HCDCH recently awarded a 3-year contract to Child and Family Services, Honolulu Gerontology Program to provide elderly case management and congregate services at 3 targeted elderly housing sites. HCDCH will continue to pursue resources to establish elderly services statewide.

Public Hearing Comment: Resident should not be forced into involuntary servitude by being forced to comply with Attachment E through force or threat of legal action. Resident should not be forced to work in position, which others are paid to perform such as tutoring and assisting or training in a self-sufficiency program.

Response: The community service obligation is a requirement of the Quality Housing and Work Responsibility Act of 1998. Currently, HUD has the program on hold due to Congressional budget restrictions imposed in 2002 on utilizing HUD funds to implement the program, except for HOPE VI housing projects. The list of volunteer activities is not inclusive and provides examples of the numerous activities that residents can participate in. The program also allows for various participation exemptions for residents such as for those attending a school and/or vocational training, the elderly and/or handicap resident, etc.

Section 13: Crime and Safety

The RAB recommends that HCDCH obtain and/or identify funds that can be used to assist section 8 tenants to organize neighborhood watch programs.

Response: HCDCH will work with the Honolulu Police Department to determine the need, logistics, and feasibility of organizing neighborhood watch programs under the Section 8 program. The Honolulu Police Department is largely responsible for assisting communities with organizing neighborhood watch programs.

Section 14: Pets

The RAB recommends that the Pet Policy should clearly state what the \$5 monthly fee would be used for.

Response: The Pet Policy states that the non refundable pet fee covers reasonable operating costs used by HCDCH to maintain the housing project's common use areas relating to the use and presence of pets such controlling any flea infestation, cleaning up of animal waste, repairing damaged fences, etc.

Section 15: Civil Rights Certification

No recommendations.

Section 16: Audit

No recommendations.

Section 17: Asset Management

No recommendations.

Section 18: Other Information

The RAB recommends that the selection of the resident representative for the Housing and Community Development Corporation of Hawaii Board of Directors be made in compliance with the Public Housing Reform Act and be elected by the Resident Advisory Board.

Response: *HCDCH does not agree with the recommendation of the RAB that the resident Board member be elected by the RAB. 24CFR964.420 states that the resident Board member “may” be selected through a fair election by residents being assisted through a federal housing program jurisdiction wide. Section 2(b) does not establish a right to an elected resident board member; it merely allows the local jurisdiction to make that determination. The current appointment procedure complies with state (Hawaii Revised Statute §201G-4 and Hawaii Administrative Rules Title 15, Subtitle 14, Chapter 181) and federal regulations (24 CFR 903 and 964).*

Public Hearing Comment: Governor should follow the Administrative Rules §15-181 procedures on the selection of a resident to sit on the HCDCH Board of Directors, which was not followed. See Attachment G.

Response: *On February 13, 2003, the Resident Advisory Board submitted a list of five names for nomination of the resident Board member to the HCDCH Board of Directors to the Governor.*

The RAB recommends that the new Executive Director and his/her staff continue to work with the RAB to craft the 5-Year and Annual Plan.

Response: *The current Acting Executive Director and every staff member of the HCDCH is committed in working with the RAB to ensure that a reasonable and workable PHA 5-Year and Annual Plans are developed for submission to HUD. It is the intent of HCDCH to provide effective and efficient housing services to the residents of federal public housing and recipients of Section 8 assistance.*

Public Hearing Comment: No quorum at many RAB meetings when decisions are made. There are areas in the plan that the RAB had no comments. Why are there no comments and recommendations in those areas?

Response: *Decisions requiring a quorum of the RAB member present were never made. For example, the approval of RAB meeting minutes were deferred if a quorum was not present. A quorum was present when the RAB discussed and finalized their comments to the PHA 5-Year and Annual Plans. During September 2002 through March 2003, the RAB met with various HCDCH staff members to discuss, in detail, each component of the plans. When there was agreement between the RAB and HCDCH staff on a component of the plans, no comments were needed.*

Section 19: Definition of “Substantial Deviation”

No recommendations.